

MAY COUNCIL MEETING

May 2, 2017

The monthly meeting of the St. Clair Borough Council was held on Tuesday, May 2, 2017, in Council Chambers, St. Clair Municipal Building, 16 S. Third Street, St. Clair. The meeting began at 7:00 pm.

Answering the roll call were council persons: Joann Brennan, John Burke, William Dempsey, John Houseknecht, Michael Petrozino, James Larish and Mayor Richard Tomko. Councilman Thomas Dempsey was absent.

Also present included Solicitor Edward Brennan, Engineer Brian Baldwin, Treasurer Carol Sutzko, Fire Chief Frank Uhrin, Police Chief William Dempsey, Marty Salada, Joe Haffey and Mike Homa.

Pledge of Allegiance

Councilmember Joann Brennan led council in a prayer.

Copies of the minutes of the previous council meetings have been given to borough council members and Mayor Tomko, are there any errors or corrections? The minutes stand approved.

Public Comment

Martin Salada of 322 E. Railroad Street complained the residence next to his property has been condemned since April 10th. John Endicott is still living in the building. The property smells. The local code official has not done anything about evicting Mr. Endicott. The health inspector comes down and just talks to the individual. Summer time is coming and I do not want the bugs and creatures coming over on my side. A bank is foreclosing on the building. Solicitor Brennan stated the Code Officer must cite this individual. The borough secretary asked Mr. Salada to visit the municipal building tomorrow to discuss the issue with borough officials.

Michele Kline of the East Norwegian Township Fire Company requested permission to hang a banner across Second Street advertising the Fireman's Carnival.

Mr. Scott appeared before council to discuss the annual car cruise event.

MAYOR'S REPORT

Mayor Tomko issued a Proclamation honoring Sara Becker Yost for her 100th birthday. The month of May 2017 is proclaimed to be "Mrs. Sara Becker Yost Month" in the Borough of St. Clair.

Mayor Tomko recommended that council adopt a resolution, provided by the Pennsylvania Municipal Electrical Association, voicing objections to Representative Bernstine proposed legislation for the 35-municipalities in the Commonwealth of Pennsylvania, who had the foresight 120-years ago to make their own electric power and provide electricity for the residents of those municipalities.

The grass is getting tall in the numerous abandoned properties around town. The code official will need to address these issues.

On a motion made by Burke, seconded by Brennan, to accept the report; approved.

BOROUGH SOLICITOR'S REPORT

Solicitor Brennan, as a follow up to the public comment section, under new business, authorization should be given for whatever action is deemed appropriate to either cite John Endicott or seek an injunction with the bank.

A meeting was held with representatives from Coal Creek Commerce Complex regarding future development at the site.

The solicitor did receive a phone call from the police arbitrator which will be discussed in executive session.

A request was made to change the zoning ordinance and map in the area around Leed Foundry. During these procedures, this is the time we will amend our zoning ordinance.

A request for conservership was made for the property located at 120 N. Morris Street. The home is abonded and somewhat blighted. We may have someone interested if we go through the conservership program.

On a motion made by Dempsey, seconded by Burke, to accept the report; approved.

ENGINEER'S REPORT

On a motion made by Houseknecht, seconded by W. Dempsey, to accept the report; approved.

Responses for the Request for Proposals for the borough garage's roof:

Number	Internal Ref. Number	External Ref. Number	Type	Description	Unit	Qty	Budget Renovations Roofing, Inc	Reilly Mechanical Construction Inc	SPOTTS BROTHERS, INC
1	A	Contract - Base Bid No. 1	BASE	REMOVAL AND INSTALLATION OF NEW 60MIL EPDM 20-YR. ROOFING SYSTEM	LS	1	\$54,412.00	\$74,400.00	\$66,600.00
2	B	Contract - Base Bid No. 2	BASE	REMOVAL AND INSTALLATION OF NEW 26 GA. METAL ROOFING SYSTEM	LS	1	NO BID	\$109,400.00	\$110,400.00
3	C	Contract - Alternate No. 1A	ADD	REMOVAL AND INSTALLATION OF NEW 75MIL EPDM 25 YR. ROOFING SYSTEM	LS	1	\$9,412.00	\$14,880.00	\$10,700.00
4	D	Contract - Alternate No. 1B	ADD	REMOVAL AND INSTALLATION OF NEW 75MIL EPDM 30 YR. ROOFING SYSTEM	LS	1	\$9,768.00	\$22,320.00	\$11,000.00
5	E	Contract - Alternate No. 1C	ADD	SNOW AND ICE BARRIER INSTALLATION MEMBRANE INSTALLATION	LF	230	\$11,108.00	\$8,050.00	\$9,660.00
6	F	Contract - Alternate No. 2A	ADD	SNOW AND ICE BARRIER, METAL ROOF INSTALLATION	LF	230	NO BID	\$7,130.00	\$7,360.00
7	G	Contract - Alternate No. 3	ADD	6" SEAMLESS GUTTER, FASCIA BOARD, DOWNSPOUT INSTALLATION	LF	230	\$10,105.00	\$6,900.00	\$5,980.00

Possible Combinations:

Possible Combinations	Summary Description	Budget	Reilly	Spotts
A	Rubber Roof, 20 yr warranty	\$54,412	\$74,400	\$66,600
A + E	w/ Snow & Ice Barrier	\$65,520	\$82,450	\$76,260
A + E + G	w/ Gutters & Downspouts	\$75,625	\$89,350	\$82,240
A + C	Rubber Roof, 25 yr warranty	\$63,830	\$89,280	\$77,300
A + C + E	w/ Snow & Ice Barrier	\$74,938	\$97,330	\$86,960
A + C + G	w/ Gutters & Downspouts	\$85,043	\$104,230	\$92,940
A + D	Rubber Roof, 30 yr warranty	\$64,180	\$96,710	\$77,600
A + D + E	w/ Snow & Ice Barrier	\$75,288	\$104,770	\$87,160
A + D + G	w/ Gutters & Downspouts	\$85,393	\$111,670	\$93,240
B	Metal Roof	NO BID	\$109,400	\$110,400
B + F	w/ Snow & Ice Barrier	NO BID	\$116,530	\$117,760
B + F + G	w/ Gutters & Downspouts	NO BID	\$123,430	\$123,740

PARTMENTAL REPORTS

STREET DEPARTMENT REPORT-No report

ELECTRIC LIGHT DEPARTMENT REPORT

On a motion made by W. Dempsey, seconded by Petrozino, Borough council unanimously approved the report and it was made part of the minutes by reference

TREASURER'S REPORT

On a motion made by W. Dempsey, seconded by Petrozino, borough council unanimously approved the report and it was made part of the minutes by reference.

TAX COLLECTOR'S REPORT

On a motion made by Petrozino, seconded by W. Dempsey, borough council unanimously approved the report and it was made part of the minutes by reference.

POLICE DEPARTMENT

On a motion made by W. Dempsey, seconded by Houseknecht, borough council unanimously approved the report and it was made part of the minutes by reference.

Chief Dempsey reported the services of the work release prisoners will be used to rebuild the fence behind the police station. Home Depot donated the fencing material.

Mayor Tomko praised the work of Chief Dempsey and his investigation efforts in the credit card thefts. Over 100 accounts were stolen from one of the local businesses.

ZONING DEPARTMENT REPORT-No report

FIRE DEPARTMENT REPORT

On a motion made by Petrozino, seconded by W. Dempsey, the report was unanimously approved by Borough Council and it was made part of the minutes by reference.

COMMUNICATIONS

The St. Clair Community and Historical Society will host the St. Clair Borough Fireworks display on Saturday, July 8, 2017 at 9:30 pm at the St. Clair Memorial Stadium. The society appreciates the monetary support in the past and humbly requests a donation again this year.

The St. Clair Yard Sale Committee, part of the Community and Historical Society, will be again be sponsoring the Town Wide Yard sale on Saturday, June 17th beginning at 8:00 am. The committee requests permission to hold the event and requests the borough's support.

Mr. Robert Keip submitted a request to purchase a parcel of borough property located on the site of the former borough garage on S. Nichols Street.

On a motion made by Burke, seconded by Brennan, to accept communications; approved.

OLD BUSINESS

On a motion made by Petrozino, seconded by Houseknecht, to approve the sale of the 2007 Dodge Durango to Kenneth Diehl for \$771.00; approved.

NEW BUSINESS

On a motion made by W. Dempsey, seconded by Petrozino, to approve the submittal of an Act 137 grant application to Schuylkill Community Action for rehabilitation funding. A ROLL CALL VOTE WAS TAKEN WITH THE FOLLOWING RESULT: BRENNAN-YES, BURKE- YES, W. DEMPSEY-YES, HOUSEKNECHT-YES, PETROZINO – YES, AND LARISH-YES. The motion was approved.

On a motion made by Petrozino, seconded by Burke, to conditionally hire Kathy McGuire as a school crossing guard pending her passing a physical

examination and the necessary background checks. A ROLL CALL VOTE WAS TAKEN WITH THE FOLLOWING RESULT: BRENNAN-YES, BURKE-YES, W. DEMPSEY-YES, HOUSEKNECHT-YES, PETROZINO – YES, AND LARISH-YES. The motion was approved.

On a motion made by Petrozino, seconded by W. Dempsey, to adopt the following resolution. A ROLL CALL VOTE WAS TAKEN WITH THE FOLLOWING RESULT: BRENNAN-YES, BURKE- YES, W. DEMPSEY-YES, HOUSEKNECHT-YES, PETROZINO – YES, AND LARISH-YES. The motion was approved.

**BOROUGH OF ST. CLAIR RESOLUTION IN DEFENSE OF
BOROUGH OPERATED MUNICIPAL ELECTRIC SYSTEMS IN
THE COMMONWEALTH OF PENNSYLVANIA**

WHEREAS, the Borough of St. Clair is proudly one of the thirty-five boroughs in the Commonwealth of Pennsylvania that owns and operates a non-profit community electric system in accordance with provisions set forth in the Pennsylvania Borough Code; and

WHEREAS, each of our municipalities works diligently and effectively to provide reliable and cost effective public power to all of the residents and businesses within their borders; and

WHEREAS, from time to time legislation is introduced in the Pennsylvania General Assembly proposing to add additional regulations, rules, or taxes focused only on these thirty-five Boroughs; and

WHEREAS, a member of the Pennsylvania House of Representatives has circulated a co-sponsorship memorandum, indicating his intention to introduce legislation in the near future, which would amend the Borough Code by unnecessarily regulating and controlling the thirty-five Boroughs that own and operate non-profit community electric systems;

NOW THEREFORE, be it so resolved that the Borough Council of the Borough of St. Clair hereby expresses its opposition to this recently proposed legislation on the basis that it unduly imposes on our community a severe financial burden, endless litigation, and is an overreach by the Pennsylvania General Assembly to usurp the fiduciary role of our Borough Council to manage the finances of our municipality;

AND FURTHER, a copy of this Resolution shall be provided to our State Representative and State Senator to encourage them to vigorously oppose this legislation on our behalf.

On a motion made by Burke, seconded by Houseknecht, to authorize East Norwegian Township Fire Company permission to hang a banner across Second Street the first week in May advertising the Independent Fire Company Fireman's Carnival to be held on June 8th, 9th and 10th; approved.

On a motion made by Petrozino, seconded by Burke, to approve and support the St. Clair Community and Historical Society request to hold the St. Clair Borough Fireworks display on Saturday, July 8, 2017, and to make the \$500.00 donation to help defray the cost of the event. A ROLL CALL VOTE WAS TAKEN WITH THE FOLLOWING RESULT: BRENNAN-YES, BURKE- YES, W. DEMPSEY-YES, HOUSEKNECHT-YES, PETROZINO – YES, AND LARISH-YES. The motion was approved.

On a motion made by Petrozino, seconded by Burke, to replace existing fence in The Third Street Playground by accepting the proposals from Lok-Weld Company in the amount of \$1,769.60 for material and the proposal from Hillside Fence Company \$985.60 to erect the fence; approved.

Several council members were interested in selling the borough property located on South Nichols Street. The borough secretary would have the property appraised.

On a motion made by Petrozino, seconded by W. Dempsey, to authorize and support the St. Clair Yard Sale Committee request to hold the Town Wide Yard sale on Saturday, June 17th beginning at 8:00 am; approved.

On a motion made by Petrozino, seconded by W. Dempsey, to accept an offer through the Schuylkill County Tax Claim Bureau for the sale of a property located 378 N. Mill Street owned by Kimberly Davenport for \$1,500 and a property located on the west side of Mill Street belonging to Kimberly Davenport for a price of \$500.00. The bidder is Reading Anthracite Company; A ROLL CALL VOTE WAS TAKEN WITH THE FOLLOWING RESULT: BRENNAN-YES, BURKE- YES, W. DEMPSEY-YES, HOUSEKNECHT-YES, PETROZINO – YES, AND LARISH-YES. The motion was approved.

On a motion made by Houseknecht, seconded by W. Dempsey, to authorize the purchase of new time clocks for the borough garage; approved.

Council discussed the bids for the garage roof. Engineer Brian Baldwin review the bids received. The bids are good for 60-days. Due to the prevailing wage act, the bid results were higher than council desired. Councilman W. Dempsey made a motion to rebid the project. The motion

died for lack of a second. A decision on the matter was tabled for further study.

On a motion made by W. Dempsey, seconded by Houseknecht, to authorize the borough solicitor to begin conservership proceedings for 120 N. Morris Street; approved.

On a motion made by Houseknecht, seconded by W. Dempsey, to authorize the borough solicitor to take any appropriate action in regard to 322 E. Railroad Street as discussed earlier: approved.

On a motion made by W. Dempsey, seconded by Burke, to authorize the advertisement of an ordinance amending the police civil service rules and regulations; approved.

Council President Larish invited council members to attend the Pennsylvania Municipal Electric Association Legislative Reception. At this time Mayor Richard Tomko and Borough Secretary Roland Price would be attending the event in Harrisburg.

Council President Larish called an executive session at 8:01 pm to discuss police arbitration issues.

The executive session adjourned at 8:18 pm.

On a motion made by W. Dempsey, seconded by Houseknecht, to pay all bills and claims properly approved by borough council; approved.

On a motion made by Houseknecht, seconded by W. Dempsey, to adjourn the meeting at 8:18 pm, council approved the motion.

Roland Price, Jr.
Borough Secretary



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May 2, 2017

Mr. James Larish
Council President
St. Clair Borough Council
16 S Third Street
St. Clair, PA 17970

**Subject: Consulting Engineer's Report (CER)
Project No. 30839.02**

Dear Mr. Larish:

The following is the status of engineering services performed by our firm as of this date:

30839.02, Task 5 – Zoning Ordinance Amendments

Our office is working with the Solicitor to finalize the recommended amendments to the Borough's Zoning Ordinance. Additionally, a Borough property owner has submitted an application to amend the Zoning Ordinance for his properties. It is the intent to incorporate all revisions into one amendment.

30839.02, Task 8 – Grant Applications

2017 DCNR Community Conservation Partnerships Program (C2P2)

On April 12, 2017, our office with the Borough Secretary's assistance did submit a grant application to replace the damaged and aged play structure within the Third Street Playground at a total project cost of \$40,000. Replacing this structure with a new, slightly larger structure will essentially be the final piece to complete the revitalization of the Third Street Playground area. We anticipate DCNR will announce their grant recipients late 2017.

30839.03, Task 2 – Floodplain Assistance

On April 4, 2017, our office assisted the Borough's Floodplain Administrator (the Borough Secretary) with an initial determination for a property at 40 N Second St as well as a review of a Floodplain Permit Application for a property at 205 S Second St.

CONSTRUCTION PROJECTS

30732.20, Task 1 – Third Street Playground – Engineering Survey/Design

The Borough was awarded a 2015 Department of Conservation and Natural Resources' (DCNR) Community Conservation Partnerships Program (C2P2) grant for repairs and upgrades to the existing 5-12yo play area. We are finalizing our design with the intent to advertise in the next few months. We are evaluating options to position the Lion's head water fountain considering ADA accessibility and the proximity of water service. The Borough Secretary is coordinating a meeting with the Lions to discuss location and installation alternatives. Once the fountain location is determined, the design plans can be finalized.

30839.20 – Garage Roof

At the request of Council, our office prepared a bid package to replace the existing rubber roof with either another rubber roof or a metal roof. Alternates for extended warranty and the installation of gutters and downspouts were included as well. The project was advertised in the *Republican Herald* and on PennBid